

**“PAC - 2” CHANGES
STAFF & TAC RECOMMENDATIONS
2006 UDC ANNUAL AMENDMENTS**

7a ++++++	4
(Change)	4
11a ++++++	5
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12 ++++++	6
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14 ++++++	6
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15a ++++++	6
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16a ++++++	8
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18a ++++++	10
(Change)	10
21a ++++++	11
(Change)	11
24 ++++++	12
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27a ++++++	12
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29 ++++++	14
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30a ++++++	14
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31a ++++++	16
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34 ++++++	17
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35a ++++++	17
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37 ++++++	18
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38 Combined with 37 ++++++	18
39 ++++++	18
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43 ++++++	19
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44a ++++++	20
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45 ++++++	21
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46a ++++++	21
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47 ++++++	22
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50a ++++++	23
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51 ++++++	26
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52 ++++++	27
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53a ++++++	28
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55a ++++++	29
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56a ++++++	29
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58a ++++++	30
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60a ++++++	32
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63a ++++++	33
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65a ++++++	35
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80a ++++++	37
(Change)	37
81a ++++++	38
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85 ++++++	38
(Change)	38
88a ++++++	39
(Change)	39
90a ++++++	41
(Change)	41
91a ++++++	44
(Change)	44
94a ++++++	45
(Change)	45
96 ++++++	45
(Change)	45
97 ++++++	46
(Change)	46
102a ++++++	46

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(Change) 46

106a **46**

(Change) 46

112b **49**

(Change) 49

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7a ++++++
(Change)

35-310.06 “RM-6”, “RM-5”, & “RM-4” Mixed Residential

(b) Lot and Building Specifications

In all “RM-4”, “RM-5” and “RM-6” districts fifteen percent (15 %) of the lots may be developed as “R-3” lots so long as they meet or exceed the minimum lot criteria for “R-3” lots contained in 35-310.05a of this code. Lots provided under this criteria shall only be used for the development and construction of single-family attached dwellings, single-family detached dwellings, townhouses, and zero-lot line houses (cottages and garden homes).

Development of ten or more “RM-6”, “RM-5”, & “RM-4” Mixed Residential lots in any one project shall have no more than eighty percent (80%) of the lot consisting of one type of housing as outline in (2) below. The remaining twenty percent (20%) of the lots may be developed in any combination of one or more of the housing types not used in the 80% limit defined above.

Requirement for site plan:

- i. “RM-6”, “RM-5”, & “RM-4” Mixed Residential zoned property must submit with the plat application a housing site plan (HSP) which conforms to the provisions of (B) above which will be utilized as the basis for issuing building permits. The housing site plan may be submitted in one or two formats. The first is by notation of the housing type for each lot in a table or second by a site plan to the same scale as the plat designating housing type for each lot.
- ii. Existing platted property zoned “RM-6”, “RM-5”, & “RM-4” Mixed Residential shall submit a housing site plan (HSP) if the number of lots in the project exceed ten units.

* * * *

Table 311-1

* * * *

TABLE 311-1 RESIDENTIAL USE MATRIX																			
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS FUNCTION	LCBS STRUCTURE
Dwelling - Rowhouse, Zero Lot Line							P	P	P	P	P	P	P	P	P	P	P	1000	1122

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TABLE 311-1 RESIDENTIAL USE MATRIX																			
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS FUNCTION	LCBS STRUCTURE
Dwelling – Townhouse								P		P		P	P	P	P	P	P	1000	1140

* * * *

**Table 311-1a
Residential use Matrix**

	Urban	Rural	Farm & Ranch	Mixed Industrial
Dwelling – Rowhouse , Zero Lot Line	P			

* * * *

Chapter 35 Article III

Delete and replace the term “~~rowhouse~~” with the term “townhouse”through out the text of Chapter 35.

11a ++++++
(Change)

35-310.15 “UD” Urban Development District

(c) “UD” Blocks, Lots, Streets, Sidewalks, Parking & Loading Design

* * * *

(2) Lots.

- A. All lots shall comply with the dimension provisions of Table 310-1.
- B. ~~When a plat is not required by chapter 212 of the TEXAS LOCAL GOVERNMENT CODE Pre-existing lots - T~~he property owner may elect to develop a residential units on a lot of record existing prior to the adoption of this ordinance on August 28, 2003 under the lot and setback standards referenced in Table 310.15-1, provided that the property is developed in accordance with “Article IV Procedures, Division 4 Subdivisions” of this code.

* * * *

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12 ++++++
(Change)

35-310.15 “UD” Urban Development District

(e) “UD” Non-Residential Building/Site Design

(1) Facades.

Windows and clearly marked public entries that allow for visibility into the commercial building from the street shall be provided along at least 50% of the length of the first floor street frontage and calculated as the area between the first floor and the first floor ceiling or to a height of 15 feet, whichever is less
Automobile service bay openings shall be included with windows and public entries in the calculation of the window/public entry façade requirements.

* * * *

14 ++++++
(Change)

35-311 Use Regulations

(a) Generally

No use shall be permitted pursuant to this ordinance, and no development permit authorizing a use may be authorized, issued, or approved by any officer, official, or agency, unless said use is listed as a permitted or specific use permit in this section and all applicable permits and approvals have been issued by the agency or official with final decision making authority. Those uses permitted as primary uses or buildings within each zoning district shall be those uses listed in the use matrix ([Tables 311-1](#) and [311-2](#) herein). (~~p~~Permitted accessory uses are set forth in the accessory use regulations, [§ 35-360](#) of this chapter.)

Only one primary use may be located on any residential lot, property and/ or premise. Only one primary use may be located on any nonresidential lot, property and/ or premise unless the improvements on the lots are classed as multi-use tenants including strip centers, shopping malls, and multi storied office buildings. A primary or principal use must be established on a property prior to an accessory use being established on the subject property.

15a ++++++
(Change)

35-311 Use Regulations

TABLE 311-1 RESIDENTIAL USE MATRIX

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PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS Function
Accessory uses (Supplemental to the residential use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9900
Assisted Living Facility (See 35-321 as a conditional use in any single- family zone)													P	P	P	P	P	
Automobile Noncommercial Parking	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAS	2110
Cemetery, Columbarium Or Mausoleum	S	S	S				S		S		S						S	6700
Childcare Daycare Center (Commercial or Nonprofit)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	6562
Child -Care, Licensed Child-Care Group- Day- Care Home	S	S	S	S	S	S	S	S	S	S	S	S					P	6562
Child Care - Registered Child Care Family Home (12 children maximum)		P	P	P	P	P	P	P	S	S	S	S					P	6562
Dwelling - College Fraternity or Sorority (Off Campus)													P	P	P	P	P	1000
Dwelling- Townhouse								P		P		P	P	P	P	P	P	1000
Family Home Community Home		P	P	P	P	P	P	P	P	SP	P	SP	P	P	P	P	P	6560
Park – Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreation Facility, Neighborhood (Public & Non- Commercial)	P	P	P	P	P	P	P	P	P	P	P	SP	SP	SP	SP	SP	P	6340
Rooming House										S							P	1320
School - Private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6100

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TABLE 311-1 RESIDENTIAL USE MATRIX																		
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS Function
(Includes Church Schools, Private Schools K-12, Privately owned College or University, Trade Or Specialty School)																		
School - Public (Includes All ISD Schools K-12, Open Enrollment Charter Schools, Public College Or University)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6100
School- University Or College (Private)	S	S	S	S	S	S	S	S	S	S	S	S					P	6130
Skilled nursing facility (see 35-321 as a conditional use in any single-family zone)												P	P	P	P	P	P	

16a ++++++
(Change)

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Accessory	Accessory Uses—Secondary Or Incidental To Primary Use	P	P	P	P	P	P	P	P	P	P	P	9900
Alcohol	Alcohol - Beverage Retail Sales (<u>Liquor Store</u>)					P	P	P				P	2150
Amusement	<u>Carnival And/Or Circus - Event use (Specific time limit set by city council on individual case consideration)</u>						S	S	S			S	5300
Amusement	Racing – <u>Motor Vehicle Auto or Truck Track</u>									S		S	
Animal	Small Animal Clinic—No Outside Runs			P	P	P	P	P	P			S	2448

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TABLE 311-2 NON-RESIDENTIAL USE MATRIX															
Animal	Small Animal Hospital—Outside Runs Are Permitted					S	P		P	P		S	2418		
Auto	Auto Alarm & Radio - Retail (Install. Incidental To Electroninc and Appliance Sales In "C-2")					P	P					P	2115		
Auto	Auto & Vehicle Sales—New And Used Small Scale (No More Than 15 Vehicles Currently Licensed And In Running Condition On Site At Any Given Time For Storage And/Or Sale)						P		P			S	2440		
Auto	Motor Vehicle Sales (full service)						P		P			NA			
Auto	Auto & Motor Vehicle Sales —New And Used Large Scale						P		P			S	2110		
Auto	Auto Paint & Body—Repair With Outside Storage Limited To 3 Vehicles (All Outside Storage Of Parts To Be Totally Screened)						S		P	P		NA	2400		
Auto	Auto Parts Retail—W/Installation & No Outside Storage					S	P		P			S			
Auto	Auto - Rental (Pickup & Drop Off Only In "C-2", "D" and "ERZD")					P	P	P	P	P		P			
Dwelling	Dwelling - 1 Family (Single-family)							P				P			
Industrial	Printer - Large Scale						S		P	P		S	2400		
Office	Office—no restrictions on square footage unless otherwise prescribed in zoning district regulations, §§ 35-310.01 to 35-310.14, above	P	P	P	P	P	P	P	P	P		P	2400		
Office	Office—Less Than 3,000 square feet and less than 35 feet in height	P	P	P	P	P	P	P	P	P		P			
Print	Printer—Large Scale Other Than Quick Print **						S		P	P		S	2400		
Recreation	Fitness Center				P	P	P	P	P	P		P			
Recreation	Gymnasium				P	P	P	P	P	P	P	P	5370		
Recreation P	Park – Public	P	P	P	P	P	P	P	S	S	S	L			
Service	Assisted living facility				P	P	P					P			
Service	Charitable – food and/or clothing bank					P	P	P	P			P			
Service	Charitable – food service establishment (no charge for meals)					P	P	P	P			P			
Service	Construction Trades Contractors								P	P	S	S			
Service	Delicatessen		P	P	P	P	P	P				P	2520		
Service	Gymnasium—Commercial **					S	P	P	P			P	5370		
Service	Office	P	P	P	P	P	P	P	P	P		P	2400		
Service	Office Call Center	P	P			P	P	P	P	P		P			
Service	Office Data Processing & Management	P	P			P	P	P	P	P		P			
Service	Office Professional	P	P	P	P	P	P	P	P	P		P	2400		
Service	Record Storage Facility (electronic and/or paper)		P			P	P	P	P	P		P			
Service	Rental – Event Specialties (no outside storage and or display allowed)					P	P	S	P			S			
Service	Tool Rental - Tool, Equipment and Event Specialties (fenced & screened outside storage and display permitted)						P	S	P	P	S	S	2140		
Service	Skilled nursing facility				P	P	P					P			
Service	Storage, Climate Controlled	S	S			P	P		P	P	P	S	3400		
Service	Storage, Cold									P	P	S	3400		
Service	Storage, Moving Pod (see definition in Appendix A)	P	P	P	P	P	P	P	P	P	P	S	3400		
Service	Storage Shipping Container (see definition in Appendix A Requires registration affidavit with	S	S	S	S	S	S	S	P	P	P	S			

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TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	Development Services Dept.)												

18a +++++
(Change)

35-403 Notice Provisions

* * * *

(b) Contents of Notice

The notice shall state the time, date and place of hearing and a description of the property subject to the application. The notice shall include, at a minimum, the following:

- The street address, if the street address is unavailable, the legal description by NCB/CB, Block, and Lot metes and bounds or a general description of the location of the property, either using block numbers, nearby street intersections or approximate distances from intersections.
- The current zoning district classification, if any; and

* * * *

(d) Minor Amendments Not Requiring Renotification

* * * *

(3) Zoning Intensity

For purpose of notification the following table of intensity of zoning shall be used.

The intensity ranges shall constitute all districts on the following table that lie between the existing zoning district of the subject property and the requested zoning district for the subject property. Consideration of such a recommendation shall not require re-notification.

An applicant may not amend a rezoning request to multi-family without renotification. Flex districts, overlay districts and special districts shall require renotification.

**TABLE 403-2
INTENSITY RANGES**

“RP”
“RE”
“R-20”
“R-6”

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“R-5”
“R-4”
“R-3”
“RM-6”
“RM-5”
“RM-4”
“MF-25”
“MF-33”
“MF-40”
“MF-50”
“NC”
“O-1”
“C-1”
“C-2NA”, “C-2P”
“C-2”
“O-2”
“C-3NA”
“C-3R”
“C-3”
“D”
“L”
“I-1”
“I-2”

Example an applicant with a property presently zoned “R-6” and requesting “C-3” could receive a recommendation for approval of any of the following districts “R-5”, “R-4”, “R-3”, “NC”, “O-1”, “C-1”, “C-2NA”, “C-2P”, “C-2”, “O-2”, “C-3NA”, “C-3R OR “C-3” without requiring renotification. Rezoning to a “MF” district would require renotification.

* * * *

21a ++++++
(Change)

35-373 Attached Dwellings (Duplexes, ~~Rowhouses~~, and Townhouses, Zero-Lot Line, Cottages, and Housing for Older Persons

(a) Applicability

The provisions of this section apply to any single-family attached dwelling, duplex, ~~rowhouse~~, townhouse, zero-lot line house, cottage, or housing facility for older persons.

(b) Townhouse Development General Criteria

(1) No front yard or side yard is required.

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- (2) A rear yard setback shall not be required when the townhouse lot abuts an alley or driveway having a minimum right-of-way width of twenty-four (24) feet which is used to provide ingress and egress to such townhouse development.
- (3) On townhouses and lots that do not abut, at the rear, an alley or driveway having a minimum width of twenty-four (24) feet, a twelve-foot rear yard setback shall be required. Regardless that side, front and rear setbacks do not apply to townhouses development. ~~At least six hundred (600) square feet of contiguous open area shall be provided on each individual lot behind the front setback.~~ The 600 square foot of open area may be used for a children's play area or patio and may be located in front or to the rear of the townhouse. On corner lots or where side yards are present the 600 square foot of contiguous area may include the side yard as long as it is not separated by a fence from the remaining portion of the 600 square foot of space. The “contiguous open area” may consist of lawns and/or landscaped areas, but shall not include parking ~~or~~ driveways ~~or other~~ imprevious cover, other than walkways from the front entrance to the street or parking areas.

24 ++++++
(Change)

35-404 Public Hearings Procedures

* * * *

(b) Meetings

The planning commission, and zoning commission, and historic and design review commission shall hold regularly scheduled public hearings to receive and review public input on those items required by this chapter. On those items where it has review authority, the zoning commission or planning commission shall recommend that the city council approve, approve with conditions or deny such items. If a comprehensive plan, rezoning, or other land use regulation requiring final approval of the city council, or amendment thereto, or other development approval, has been duly submitted to the zoning commission or planning commission, and said commission has failed to make a recommendation approving or denying such action at two (2) consecutive meetings, such action, at the option of the applicant, shall be deemed to be a negative recommendation. In the event that said commission fails to pass a motion, such action shall be deemed to be a negative recommendation. The director shall thereupon submit the proposed land use regulation or amendment thereto or other development approval to the city council for its consideration.

27a ++++++
(Change)

35-421 Zoning Amendments

(e) Approval Criteria

* * * *

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(7) Right-of-way dedication.

* * * *

- B. A change from ~~either temporary or~~ permanent R-4, RM-4, R-5, R-6, R-20 or MH, to a multiple family residence, business, industrial, business park, or entertainment ~~district~~ zoning ~~district classification~~ shall constitute prima facie evidence that an increase in traffic shall occur and require right-of-way dedication. The property owner shall have the right to introduce evidence to the zoning commission and city council to show that the zoning change will not increase traffic; however, the evidence must be based on all uses permitted in the requested zoning ~~district classification~~, not solely on the proposed use of the property.

* * * *

(f) Subsequent applications

(1) Applicability.

The provisions of this subsection shall not apply to any application for a rezoning which is initiated by the city council.

(2) Withdrawal of Zoning Application After Zoning Commission Hearing.

A. Withdrawal without time penalty:

An applicant may withdraw a zoning application up to the time that it is called forward and the city staff begins presentation of the application during a dully advertised public meeting without a time penalty on resubmission of another rezoning application for the property whether by the original applicant or a new applicant.

B. Withdrawal with time penalty:

An applicant may withdraw a zoning application after it has been called forward for discussion and staff has begun presentation however such withdrawal shall be penalized by imposing an automatic six month time period following the date of withdrawal before the same or another application for the same property can be submitted for processing.

C. Waiver of time penalty in B. above for resubmission:

At the time of withdrawal of an application for rezoning the zoning commission may consider a request by the applicant to bring the application or a modification of the application back prior to the expiration of six months subject to all notifications and postings of the case being observed. If the zoning commission fails to approve such resubmission prior to continuing with the next agenda item the six-month submission limitation shall stand.

D. Request of relief of time penalty:

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~~No application for the zoning of any lot or lots or block of land situated in the city shall be received or filed with the zoning commission of the city and no hearing had thereon, if within six (6) months prior thereto an application was received or filed and withdrawn after a full, fair and complete and final hearing was had on the rezoning of such lot, lots or block of land before the zoning commission; provided, however, if~~ If new relevant and substantial evidence, which could not have been secured at the time set for the original hearing shall be produced by applicant, under a sworn affidavit to that effect; then in that event, the zoning commission ~~may elect~~shall have the right to hear and consider such application prior to the expiration of the time penalty.

(3) Postponement of Case by Applicant

Prior to the city sending notices to effected landowners for a requested zoning change an applicant may request in writing for the city to postpone the zoning case. In such cases the applicant shall have 6 months from the date of the written request for postponement to reactivate the zoning case. After expiration of the six-month period the zoning fees paid shall be non-refundable and the applicant will have to submit a new application with new fees for further consideration of a zoning change on the subject property.

* * * *

(i) Recording Procedures

When the amendment involves changes to the existing zoning district boundaries, the form of the amending ordinance shall contain a narrative description of the land to be reclassified or reference to an accompanying plat of such land showing the new zoning ~~districts classifications~~ and indicating their boundaries. The director of development services shall refer to said attested ordinance as a record of the current zoning status until such time as the zoning map can be changed accordingly.

29 ++++++
(Change)

35-430 Applicability & General Rules

(b) Classification of Subdivisions

(1) Minor Subdivisions [reference: VTCA § 212.0065(a)(2).

* * * *

A requirement imposing sidewalk, curb, right or left turn lanes, pavement widening or streetscape tree improvement and installation shall not constitute a major plat.

30a ++++++
(Change)

35-430 Applicability & General Rules

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35-430 Applicability & General Rules

(a) Subdivisions Subject To This Section

(1)

* * * *

The owner of a tract of land situated within San Antonio's corporate limits or extraterritorial jurisdiction shall cause a plat to be made thereof upon a request for utility service or a building permit; or upon dividing the tract in two (2) or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts unless a specific exception to such requirement is provided for in section 35-430(c). A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance, or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five (5) acres, where each part has access and no public improvement is being dedicated. For purposes of this subsection, access shall mean a minimum frontage of twenty (20) feet on a platted public or private street, or an irrevocable ingress/egress easement.

* * * *

(c) Plat Exceptions

* * * *

(12) The provision of utility service to not more than three (3) dwelling units on an unplatted tract or antiquated plat shall not require a subdivision plat provided all of the following requirements are met: (1) the tract is located outside the city limits within the extraterritorial jurisdiction of the city; (2) the tract has a minimum of fifteen (15) feet of frontage on a public street or a recorded access easement and the tract was created prior to ~~July 1, 1990~~ January 1, 2000; (3) the tract has a minimum area of five thousand (5,000) square feet for each dwelling unit; (4) the tract is held under single ownership; (5) no major thoroughfare dedication is required; (6) no dwelling unit will be located within a regulatory floodplain; and (7) no utility extension is required. Pursuant to Subsection (c)(9)(5), the owner of an unplatted parcel abutting a designated major thoroughfare may voluntarily execute a street dedication instrument in accordance with form “S” in Appendix “C” in lieu of public dedication through platting when necessary. Any further subdivision shall require approval of a subdivision plat as provided herein.

* * * *

(14) An existing single-family residence can add a second residential structure provided they utilize the same electrical meter and the occupant is family. In

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addition, the applicant will need to comply with all zoning, building and on-site sewage facility requirements.

31a ++++++
(Change)

35-431 Letters of Certification

(b) Initiation

* * * *

(4) Plat Number.

Prior to submitting a plat, replat, or amending plat for review by the city or any other agency, the applicant shall complete a plat application with the development services department, provide a digital file of the boundaries in accordance with 35-B101 (e) and obtain a plat number.

* * * *

(c) Completeness Review

Upon receipt of a request for letters of certification, the director of development services shall classify the request as a tentative major subdivision or a tentative minor subdivision. However, a plat that the director of development services finds is for the sole purpose of amending one or more building setback lines shall be submitted to the planning commission for consideration without review by any other agency. Such plat shall be referred to as a building setback line plat (BSL) and shall comply with all provisions of Chapter 212 of the Texas Local Government Code. It is noted that while the City has created an expedited review process and waived the public hearing notification fee, the proposed BSL plat will have to comply with the public hearing provisions noted in Chapter IV.

The appellate agency for purposes of completeness review (see [§ 35-402\(c\)](#) of this chapter) shall be the planning commission. When a certifying department determines that the proposed plat or any of the required accompanying data does not conform with the requirements of this chapter, the certifying department shall so notify the applicant and director of development services. If the certifying department issues a letter of certification recommending disapproval of the proposed plat, the letter shall indicate the section and specific requirement of the regulations and the manner in which the request does not comply. The applicant may then revise the nonconforming aspects or may file the proposed request with the planning commission pursuant to § 35-432 of this chapter, with or without a request for a variance (§ 35-483 of this Article) provided, however, that if no variance request is submitted and approved and the application does not conform to this chapter, the application shall be denied.

* * * *

**“PAC - 2” CHANGES
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34 ++++++
(Change)

35-441 Amending Plats

(a) Applicability

* * * *

(14) **Unrecorded Plats** - A plat that has been approved but not recorded in the office of the county clerk may be amended for the purpose permitted for a recorded plat. In addition, an unrecorded plat may be amended to add, delete, or relocate an easement unless a certifying department/agency, upon initial review of the plat, determines that the proposed amendment will require further review and requests in writing to the director of development services that a new plat be submitted.

35a ++++++
(Change)

35-442 ~~Rep~~latting of Antiquated Plats

(a) Applicability

For purposes of this section, any subdivision platted prior to June 14, 1927, the effective date of VTCA, Local Government Code Chapter 212, shall not be considered a plat under that chapter and a replat of such a subdivision shall be considered an original plat ~~and shall be subject to the same notice requirements as a minor subdivision plat.~~

(b) Initiation

An application for a ~~re~~plat shall be submitted to the director. The plat shall be signed and acknowledged by only the owners of the property being resubdivided. ~~The plat shall be annotated with a certificate the same as form “P”, § 35B-120 in Appendix “B” to this chapter.~~

(c) Completeness Review

The director of development services shall review an application for ~~re~~plat in accordance with § 35-432(c) of this chapter. The appellate agency for purposes of completeness review (see § 35-402(c) of this chapter) shall be the planning commission.

(d) Decision

~~The plat must be approved. The approval authority is in accordance with ordinary platting procedures of 35-432. by the planning commission after a public hearing. The notification procedures for a minor subdivision shall apply.~~

* * * *

**“PAC - 2” CHANGES
STAFF & TAC RECOMMENDATIONS
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37 ++++++
(Change)

35-482 Zoning Variances

(a) Applicability

A request to the Board of Adjustment for permission to vary or depart from a requirement of Article III or Article V Subsections 506.d.5, 506.r.6 (to include Table 506-7), 514, 515, 516, 517, 525, 526, and 527 of this chapter where, due to special conditions, a literal enforcement of the requirement will result in an unnecessary hardship.

This section shall apply to any application for a variance from the terms of Chapters 2, 3, 5 or 6.

* * * *

(h) Special Exceptions

The zoning board of adjustment must find that a request for a special exception ~~use permit~~ meets each of the five following conditions.

* * * *

38 Combined with 37 ++++++

39 ++++++
(Change)

35-483 Subdivision Variances

(a) Applicability

~~This section shall apply to any application for a variance from an applicable provision of provisions of Article 5 of this chapter. A request to the Planning Commission for permission to vary or depart from a requirement of Article IV or V of this chapter (except for the subsections of Article V reserved to the Board of Adjustment) where, due to special conditions, a literal enforcement of the requirements will result in an unnecessary hardship.~~ Variances to plats, and any associated plans and profiles shall be granted by the planning commission, and the applicable county commissioner's court if the property is located within the ETJ, only in conjunction with the consideration of the proposed plat for approval. Except for those administrative exemptions provided by 35-501, variances shall be granted only with respect to the standards for subdivision plat approval, and not for the process for obtaining subdivision plat approval.

41 ++++++
(Change)

35-502 Traffic Impact Analysis

**“PAC - 2” CHANGES
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(a) Specific Requirements for Transportation LOS

* * * *

(7) Limitations on Traffic Impact Mitigation.

* * * *

D. Left and right turn lanes are required off of arterials and may be required off of collectors based on a minimum 60 PHT right or left turning movements entering into a driveway or street. For TxDOT ROW, right and left turn lanes may be required according to traffic volumes per TxDOT's current edition of the Roadway Design Manual.

42 ++++++
(Change)

35-503 Parkland Dedication Requirement

(b) Required Parkland

* * * *

(5) The following areas shall not be considered parkland pursuant to this subsection:

* * * *

B. Utility easements, drainage easements, or street rights-of-way, unless such areas are useable for public recreational purposes and will not be permanently converted to a street or trench. Land ~~underneath~~ underneath overhead utility lines shall in no instance be considered a park/open space except where used for jogging trails, bicycle trails, or parking areas accessory to a park/open space. Trails shall conform to standards set forth in Table 503-4 and credit will be given for trail only.

* * * *

43 ++++++
(Change)

* * * *

35-503 Parkland Dedication Requirement

(c) Parkland Characteristics

* * * *

(2) Designation.

**“PAC - 2” CHANGES
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Any areas reserved as parkland shall be indicated on the application for development approval. A ~~parkland~~ Parkland provision ~~Provision~~ and Maintenance ~~plan~~ Plan shall be submitted as a part of the application for development approval including the project phasing schedule. This plan shall designate and indicate the boundaries of all proposed parks or open-space required by this section. The plan shall:

- A. Designate areas to be reserved as a ~~park~~ PARK (for parkland with improvements) or ~~open-space~~ OPEN SPACE (for parkland without improvements).

Table 503-2

Zoning District	Minimum Dedication Size (in sq. ft)	Minimum Width <u>Dimensions</u>
ETJ	10,000	100' x 100'
"R-20"	20,000	100' x 200'
"R-6", "RM-6"	10,000	100' x 100'
"R-5", "RM-5"	10,000	100' x 100'
"R-4", "RM-4"	10,000	100' x 100'
"MH"	10,000	100' x 100'
"MF-25", "MF-33", "MF-40", "MF-50"	10,000	100' x 100'

1. Planned ~~unit~~ Unit developments ~~Developments~~ will abide by the minimum requirements set forth in Table 503-2 based on the underlying zoning.

44a ++++++
(Change)

35-503 Parkland Dedication Requirements

(d) Suitability

(7) Access.

If streets are planned within a proposed single-family project, Parkland-parkland provided pursuant to this section shall have direct access to said streets. Direct access shall not be less than fifty (50) contiguous feet along a public street or to a private street maintained by a homeowner's association. If no streets are planned within a proposed single-family project, parkland provided pursuant to this section shall have direct access of not less than fifty (50) contiguous feet along a public street. Parkland provided within proposed multi-family projects shall simply have direct access to a public street or private street maintained by a homeowner's association or condominium association, or an interior driveway maintained by an apartment association.

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* * * *

45 ++++++

(Change)

35-503 Parkland Dedication Requirement

(e) Designation of Parkland

* * * *

(1) Dedication of Land to City.

Dedication of parkland to the city shall satisfy the requirements of this subsection. Dedication shall take the form of a fee simple ownership. The city shall accept a dedication of not less than three (3) acres of contiguous undivided parkland provided: ~~(1) such land is accessible to the residents of the city; (2) there is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance; (3) the parkland area meets the requirements of subsection (d) of this Section.~~

A. such land is accessible to the residents of the city;

B. the parkland area meets the requirements of subsection (d) of this Section;

C. there is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance;

1. An ~~en~~vironmental survey of the property shall be ~~sub~~mitted.

2. A metes and bounds and boundary survey of the property shall be submitted.

3. A warranty deed shall be submitted to verify ownership along with a submittal determining property value.

* * * *

46a ++++++

(Change)

35-503

(g) Fee in lieu of Land Dedication (Optional)

* * * *

(6) All fees collected shall be used for the acquisition of land for a public park and/or development or construction of improvements to existing public park land, within one (1) mile of the periphery of the proposed development. However, if [1] such acquisition opportunities are not available or [2] existing park land is already

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developed or improved within one (1) mile of the proposed subdivision or development, then areas within two (2) miles of the periphery of the proposed subdivision or development may be considered. For fees collected that do not exceed fifteen thousand dollars (\$15,000), and there are no available properties within two (2) miles, then areas within four (4) miles of the periphery of the proposed subdivision or development may be considered for the acquisition and development of ~~neighborhood~~ public park land and/or construction of improvements to existing public park land within such periphery.

(7) There is hereby established a special fund for the deposit of all fees collected under this subsection (g), which fund shall be known as the Park Acquisition and Development fund. Within the fund all fees paid shall be earmarked for expenditure on aquisition of land for a public park and/or park improvements in a public park generally located within the distance described in subsection (6) above. All fees in lieu of park land dedication paid must be expended within ten (10) years from the date of receipt for park facilities benefiting the residential subdivision or dwelling unit for which the fees are paid. Fees shall be considered expended if they are spent for acquisition or development respectively, of public parks located within the distance described in subsection (6) above for which the fees were paid within the ten-year period. If fees are not expended within such period, the then-current owner shall be entitled to a refund of the principal deposited by the Applicant in such fund, together with accrued interest. The owner must request such refund in writing within three hundred sixty-five (365) days of entitlement or such right shall be waived. Interest accruing to the Park Aquisition or Development Fund shall be expended on public park land acquisition and/or for public park improvements, respectively.

47 ++++++
(Change)

35-503 Parkland Dedication Requirement

(h) Credit for Park Facilities

* * * *

**Table 503-4
Park Facilities Credit**

(A) Criteria List	(B) Design Criteria	(C) Credit Acres
* * * *		
Open Play Areas	An Open Play Area shall include a minimum area of 20,000 square feet. The areas shall be unobstructed by trees, shrubs, or utilities, with a slope not to exceed five percent (5%). Common Bermuda grass shall be established in these areas. one third of an acre is the minimum parkland area required for an Open Play Area. Maximum of one open play area for every five acres of parkland dedication.	1.00
* * * *		

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- (3) Specifications for playgrounds as set forth in Table 503-4 shall conform to the following minimum requirements:

* * * *

- D. Playgrounds must meet all federal, state, and ~~l~~ocal regulations and guidelines and be compliant with the Americans with Disabilities Act, as well as guidelines set up by CPAC and NPSI.
- E. The following items shall be provided: at least two park benches, one trash receptacle, and an open shelter.
- F. Playground equipment shall be located no closer than twenty-five (25) feet from a park boundary.

49a ++++++
(Change)

35-506 Transportation and Street Design

(a) Applicability

* * * *

(2) Building Permit Requirements.

The construction of standard curbs and sidewalks shall be a condition of the granting of a building permit in each of the following cases:

- A. A new building or structure when curbing is in place or curb lines are established for a sidewalk. (A curb line is defined when there are curbs at both ends of the streets and/or when there is a sharp edge of pavement (less than 2% deviation of the edge of pavement width)).

* * * *

50a ++++++
(Change)

35-506 Transportation and Street Design

(d) Cross-Section and Construction Standards

(1) ~~Interior~~ Streets.

- Table 506-3 and 506-4 provides the standards for all existing and future streets.
- The subdivider shall dedicate all interior streets within the subdivision plat, and shall provide dedication for exterior streets based upon the following tables:

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Table 506-3

Conventional Street Design Standards Street Type	Marginal Access	Alley	Access to Conservation Subdivision	Local Type A	Local Type B	Collector	Secondary Arterial ¹	Primary Arterial ²
R.O.W. (min.) ^{8,11}	36'	24'	36' 34'	50'	60'	70'	86'	120' ¹²
Pavement Width ⁸	26'	18-24'	24' ⁷	28'	40'	44'	48'	72-48'
Grade (max.) ³	12%	12%	12%	12%	12%	7%	5%	5%
Grade (min.) ⁴	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
“K” Crest Curve	30	NR	30	30	30	55	70	70
“K” Sag Curve	35	NR	35	35	35	55	60	60
Centerline Radius (min.)	100'	50'	100'	100'	100'	400'	700'	1,200'
Stopping Sight Distance	75'	75'	75'	110'	150'	200'	300'	300'
Curb	NR Ne	NR Ne	NR Ne	Yes	Yes	Yes	Yes	Yes
Median	NR	NR	NR	NR	NR	NR	14' min.	14' min.
Sidewalk Width (see subsection (q)(5))	NR	NR Ne	4/6 ¹⁰ one Side only	4' ⁹	4' ⁹ /6 ¹⁰	4' ⁹ /6 ¹⁰	4' ⁹ /6 ¹⁰	4' ⁹ /6 ¹⁰
Bike Facilities ⁶	NR	NR	NR	NR	NR	City Option ⁵	Yes Path ⁵	Yes Path ⁵
Streetscape Planting	NR	No	NR	NR	NR	Yes	Yes	Yes
Planting Strips	NR	NR	NR	NR	2' Min.	2' Min.	2' Min	2' Min.

Notes and Rules of Interpretation:

NR designates the item is « not required »

Table 506-3 is required for conventional option subdivisions (see § 35-202) or subdivisions not subject to Table 506-4, below), except for (access to conservation subdivision) which apply only to conservation subdivisions (§ 35-203).

* * * *

¹¹ R.O.W. width and construction design of State maintained streets and certain inner-city streets and certain primary arterials (approved by City Council ordinance) pertaining to R.O.W. dedication and design standards within the CRAG area boundary shall take precedence over the standard UDC street R.O.W. and design provisions outlined in Table 506-3 above.

¹² 120 feet is the maximum right of way width but may be varied in accordance with the adopted Major Thoroughfare Plan.

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**Table 506-4
Traditional street Design Standards
Table 506-4
Traditional street Design Standards**

Street Type	Trail	Alley	Lane	Local	Avenue	Main street	Boulevard	Parkway
R.O.W. (min.)	14'	20'	38'	48'	82'	58'	124'	86'
Pavement Width ¹	8'-14'	10'-12'	16'-18'	22'-27'	27'-48'	28'-36'	44'-70'	44'+
Grade (max.)	10%	10%	10%	10%	7%	7%	7%	5%
Grade (min.) ⁴	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
“K” Crest Curve	NR	NR	30	30	55	55	55	70
“K” Sag Curve	NR	NR	35	35	55	55	55	60
Curb Radius	N/A	15'	15'	15'	25'	15' 25'	25'	25'
Centerline Radius ²	95'	50'	90'	90'	250'	600' 300'	500'	1,000'
Stopping Sight Distance	75'	75'	110	110'	150'	NA 200'	300'	300'
Intersection site distance	15'	15'	15'	25'	75'	NA	150'	150'
Curb	NR No	NR No	Yes	Yes	Yes	Yes	Yes	NR No
Median	NR N/A	NR N/A	NR N/A	NR N/A	14' min.	NR N/A	14' min.	14' min.
Sidewalk Width (see subsection (q)(5))	NR N/A	NR No	4' / 6'	4' / 6'	Min. 4' / 6'	4' / 6'	4' / 6'	4' / 6'
Bike Facilities ^{3, 6}	NR N/A	NR N/A	NR No	NR No	Yes Path City Option	City Option	Yes Path City Option	Yes Path
Streetscape Planting	Yes	NR No	Yes	Yes	Yes	Yes	Yes	Yes
Planting Strips	NR N/A	NR N/A	6'	6'	6'	City Option	6-11'	7-20'

Notes and Rules of Interpretation:

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NR designates the item is « not required »

R.O.W. width and construction design of State maintained streets and certain inner-city streets and certain primary arterials (approved by City Council ordinance) pertaining to R.O.W. dedication and design standards within the CRAG area boundary shall take precedence over the standard UDC street R.O.W. and design provisions outlined in Table 506-4 above.

* * * *

**Table 506-4A
Street Width options for Traditional ~~s~~Street Design Standards**

* * * *

Notes and Rules of Interpretation:
~~Rules of interpretation for Table 506-4A:~~

R.O.W. width and construction design of State maintained streets and certain inner-city streets and certain primary arterials (approved by City Council ordinance) pertaining to R.O.W. dedication and design standards within the CRAG area boundary shall take precedence over the standard UDC street R.O.W. and design provisions outlined in Table 506-4A above.

Column A (street Width) refers to the width of the street from curb face to curb face.

Column B (Parking) indicates whether on-street parking is permitted, whether on both sides or only one side of the street.

* * * *

51 ++++++
(Change)

35-506 Transportation and Street Design

(d) Cross-Section and Construction Standards

* * * *

Table 506-4B

* * * *

Notes:

- (1) Intersections with interior angles greater than 120 degrees or less than 60 degrees not permitted.

* * * *

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(5) For intersection combinations not listed above, the column with the larger roadway classification applies.

* * * *

52 ++++++
(Change)

35-506 Transportation and Street Design

(d) Cross-Section and Construction Standards

* * * *

(6) Cul-de-sac Streets.

The following criteria shall be used for cul-de-sac street design and fire hydrant layout as required by the International Fire Code:

A. For cul-de-sac streets ~~less than or equal to 500 feet in total length~~, the following is required:

1. Turnaround right-of-way shall be not less than one hundred ~~sixteen (400)~~ 16 (116) feet in diameter in residential areas and not less than one hundred fifty (150) feet in diameter in commercial and industrial areas.
2. Turnaround shall include ~~at least twenty-five (25) feet of paved driving surface with~~ a minimum exterior paved driving surface radius of forty ~~eight (40)~~ eight (48) feet for residential areas and sixty (60) feet for commercial and industrial areas.
3. The interior of the turnaround may be landscaped or paved for residential areas. A maximum radius of fifteen (15) feet will be allowed for landscaping purposes. The entire interior of the turnaround must be paved with no island for commercial and industrial areas.
4. The cul-de-sac length, layout and topography will not impede safe access and egress by emergency vehicles including fire trucks and emergency medical services.

~~B. For cul-de-sac streets in residential subdivisions greater than 500 feet and less than or equal to 1000 feet in total length, the following is required:~~

- ~~1. Pavement width for the entire length of the cul-de-sac street shall be a minimum of 30 feet, regardless of the type of residential subdivision.~~
- ~~2. Turnaround right-of-way shall be not less than one hundred twenty (120) feet in diameter.~~

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~~3. Turnaround roadway shall have a minimum exterior radius of fifty (50) feet.~~

~~C. In the “C”, “RE”, and “R-20”, zoning districts cul-de-sac streets over one thousand (1000) feet in length may be permitted subject to approval by the director of development services after consultation with the fire chief or his designee. No such approval shall be granted unless the director of development services finds the following:~~

~~1. The cul-de-sac length, layout and topography will not impede safe access and egress by emergency vehicles including fire trucks and emergency medical services~~

~~2. A longer cul-de-sac street is needed because of unique topographical conditions such as steep slopes, wetlands, streams, or similar conditions and an alternative design would not more effectively accommodate said conditions.~~

* * * *

53a ++++++
(Change)

35-506 Transportation and Street Design

(d) Cross-Section and Construction Standards

(9) Substandard Existing Streets.

A. Where subdivisions within the city limits are adjacent to existing streets and right-of-way widths of those existing streets are less than the minimum right-of-way widths as set out in this chapter for all streets, no building permits shall be granted until the right-of-way widths have been dedicated to the minimum widths required by this chapter abutting the development. In addition, subdivisions of land within the City Limits shall require sidewalk and may require curb, and pavement improvements in accordance with article 5 and ADA guidelines at platting. Substandard existing streets located in the ETJ shall be upgraded to minimum standards as set forth in the code and in connection with plat approval. The provisions of this subsection shall not apply within the Infill development zone “IDZ”. Curb, sidewalk and pavement improvements adjacent to the development for multi-family and commercial developments shall be provided on sub-standard width existing streets at the time of building permit. In cases where an existing fence and landscaping is present, the director of development services shall require dedication of the additional right-of-way but may allow existing landscaping and fences to remain until such time as the right-of-way width is needed for infrastructure improvement. The director shall evaluate the condition of the existing fencing and the character of the landscaping and may direct additional reconstruction of the fence or new

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plantings. In such cases the landscaping required by the director shall not be greater than that required by this chapter for new projects.

B. Where subdivisions are adjacent to platted right-of-ways and no street exists, (paper streets) no building permit shall be granted until one-half of the road is constructed adjacent to the proposed development.

55a ++++++
(Change)

35-506 Transportation and Street Design

(g) Dedication of Arterial

* * * *

(4) Arterial Streets

Where a primary or secondary arterial street, as shown on the Major Thoroughfare Plan, traverses or is contiguous with an area being platted, such primary or secondary arterial street shall be platted in the location and of the width indicated by the requirements of the Major Thoroughfare Plan and these regulations. In no event shall an area be platted so as to leave a ~~narrow~~ strip of land less than 270 feet deep off the street R.O.W. which is unsuitable as a building site, unmarketable, or is undevelopable (as these terms are commonly known) and which is excluded from platting for the purpose of circumventing these requirements.

* * * *

(5) Marginal Access Streets

Marginal access streets should be located parallel to and adjacent to an arterial street. Marginal access streets, if not required by the provisions of 35-506, may be constructed at the option of the developer but shall not relieve the developer from the obligation to construct their project's proportional share of major thoroughfares (arterials/collectors) as designated by the Major Thoroughfare Plan.

56a ++++++
(Change)

35-506 Transportation and Street Design

(i) Street Lights

(1) Streetlights shall be provided in all subdivisions within the city. Streetlights are not required in the ETJ. However, if proposed by the applicant, all installation, operational and maintenance cost shall be borne by the developer. Streetlights shall be installed by CPS Energy City Public Service Energy at all public street intersections with other public streets, at the end of cul-de-sacs longer than 200-

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feet, crosswalks, at safety lane intersections with public streets, midblock areas placed such that streetlights are a minimum of 300-feet apart for residential streets with houses fronting, or service areas as determined by city policies.

58a ++++++
(Change)

35-506 Transportation and Street Design

(p) Pavement Structure

* * * *

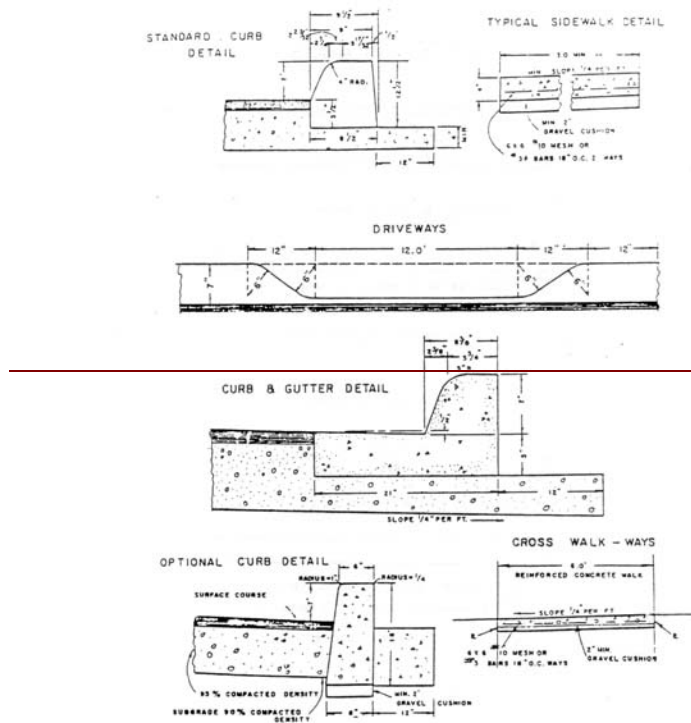
(7) Minimum Layer Thickness (Compacted).

* * * *

F. Right and left turn lanes constructed on existing asphalt roads shall be constructed with twelve (12) inches of asphalt treated base and two (2) inches of Type D asphalt.

(8) Curb and Gutter

Concrete curbs or monolithic curbs and gutters constructed in accordance with the ~~details shown on Figure 506-9~~ City of San Antonio standard details shall be provided where indicated on the typical cross sections provided in Subsection (d) of this section.



~~Figure 506-9~~

59 ++++++
(Change)

35-506 Transportation and Street Design

(q) Sidewalk Standards

* * * *

(5) Width.

Except as otherwise specified in Americans with Disabilities Act (ADA) (see § 35-501(e) herein), sidewalks shall have a minimum unobstructed width as follows:

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- A. Within the city ~~L~~imits and ETJ, the minimum width of sidewalks adjoining a planting strip shall be four (4) feet and the minimum width of sidewalks adjoining the curb shall be six (6) feet for Local Type B, collectors and arterial streets and four (4) feet for Local Type A streets. ~~In the ETJ, sidewalks shall adjoin the curb and shall be six (6) feet in width for Local Type B, collector and arterial streets and four (4) feet in width for local Type A streets.~~

* * * *

60a ++++++

(Change)

35-506 Transportation and Street Design

(r) Access and Driveways

* * * *

(2) Single-Family Residential Subdivisions

* * * *

(C). Collector sections are required for a minimum of 40-feet off of an arterial to prevent construction of residential driveways closer than 40-feet from the arterial's end of property line return, or if a Local "B" section is designed, a residential lot shall not side the arterial for a minimum of 40-feet.

* * * *

(6) Driveway Throat or Vehicle Storage Length.

For purposes of this subsection, "throat length" means the length of extending from the entry into the site at the property line, to the first left-turn conflict or intersection with a parking aisle. Vehicle storage length means the length of a driveway, service lane, bay, or other passageway for motor vehicles which is designed to minimize queuing onto surrounding streets. Throat length shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. Throat length and vehicle storage length shall not be less than the standards set forth in Table 506-7 unless approved by the director of development services. These measures generally are acceptable for the principle access to a property and are not intended for secondary minor driveways such as residential driveways serving less than 4 homes, or a commercial/industrial driveway with less than 400 ADT, or 40 average peak hour volume of vehicles, not located on a major roadway or thoroughfare. The throat length may be reduced by the director of development services.

* * * *

(7) Spacing and Location on Major Thoroughfares.

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This subsection applies to driveway approach spacing and location along major thoroughfares.

- A. Where a traffic impact analysis is required, driveways shall be spaced in such a manner as to avoid reducing the traffic LOS below that established in the Section 35-502 traffic impact analysis. A subdivision of land into two or more lots fronting a major thoroughfare may not automatically increase the number of driveway approaches allowed over those allowed prior to the subdivision.
- B. Along either side of any corner commercial or industrial property the driveway approaches shall be located so as to maintain a minimum distance from the corner of the intersecting roadways equal to 90 percent of the length of the property along the roadway upon which the proposed driveway approach is to be located, or 125 feet, whichever distance is less. Corner clearance is measured along the property-line from the property-line return or flare. The corner clearance may be reduced by the director of development services to allow a driveway for development where a driveway may not otherwise be allowed.

* * * *

(9) Parking Approaches.

For minor driveways, pParking aisles shall be located a minimum of twenty (20) feet from the intersection of the driveway approach and the thoroughfare property line.

(10) Driveway Approaches.

Driveway approach materials may be asphalt, concrete or other materials as approved by the director of development services. Residential driveway approaches materials shall be concrete.

63a ++++++
(Change)

35-511 Landscaping

(a) Applicability

* * * *

(3) Exemptions.

This section shall not apply to the following situations:

- A. Single-family, duplex, tri-plex or four-plex Rresidential uses located within a residential zoning district.
- B. Agricultural uses

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* * * *

(c) Mandatory Criteria

* * * *

(6) Irrigation.

Landscaped areas shall be irrigated with a system that is suitable for the type of plantings installed. An irrigation system will be required on projects when any one of the following are used to meet the requirements of this chapter:

- A. an area greater than 2,000 sq ft of new landscape or;
- B. more than 10 trees will be installed or;
- C. projects which exceed 4,300 square feet of impervious surface.

If ~~in lieu of~~ an irrigation system ~~is not required as above.~~, a hose bib must be installed within 100 feet of the newly installed plant material.

* * * *

(7) Parking Lot Shading.

* * * *

B. Calculation of Shaded Area

* * * *

Newly planted trees planted adjacent to a parking lot within 12 feet of any edge of a parking lot shall be calculated at 50% of the shade coverage shown in Appendix “E”, under “shade area.” An example calculation is as shown:

The parking area is 10,000 sq ft; therefore 2,500 sq ft of shade is required. If Cedar elm trees are used at a value of 875 sq ft of shade per tree, 2.9 or 3 trees are required to be planted.

* * * *

(e) Elective Criteria

(1) Generally.

In addition to the mandatory requirements, landscape plans shall earn a minimum of seventy (70) points awarded for elective requirements. As an exception to this requirement, landscape plans for commercial projects which do not include off-street parking within the street yard shall earn a minimum of twenty-five (25)

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points and those in a designated “gateway corridor “ adopted pursuant to 35-339.01 shall earn eighty-five (85) points.

* * * *

64 ++++++
(Change)

35-512 Streetscape Planting Standards

(a) Applicability

(1) Generally - Interior and Exterior Streets

In addition to developments subject to the landscaping standards, above, the following shall be subject to the streetscape planting Standards as provided herein:

- A. all developments with five (5) or more parking spaces; and
- B. all developments requiring subdivision review.

Streetscape planting standards shall not apply to any street classification unless street Trees are required by the street improvement standards, § 35-506(d), above. In addition, the streetscape requirement is a similar improvement as sidewalks and therefore such an improvement shall not create a major plat from a minor plat.

65a ++++++
(Change)

35-515 Lot Layout Regulations

(c) Lots

* * * *

(4) Frontage.

All lots shall front on a public or private street and shall have a minimum frontage width as indicated in § 35-310. On irregular shaped lots, a minimum street frontage of fifteen (15) feet shall be required. Single-family Residential lots shall not front on a collector street, arterial street, or parkway. An “irregular shaped lot” includes any lot located on a cul-de-sac or adjoining a curved section of a roadway with a centerline radius of less than two hundred (200) feet.

(5) Access

Vehicular access to non-residential uses must be by public street and shall not utilize any property that is zoned single-family residential. However, pedestrian access may be provided by means of a dedicated easement or access way to

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promote pedestrian circulation on residentially zoned property and/or by means of a public or private street.

(65) Prohibition against creating landlocked conditions

Plat applicants shall ensure that there is no abutting landlock conditions created by the proposed plat.

66 ++++++
(Change)

35-515 Lot Layout Regulations

(h) Flag Lots

* * * *

- (1)** The minimum driveway width shall be ~~nine-ten~~ **(910)** feet.

* * * *

79 ++++++
(Change)

DIVISION 6 - PARKING and STORAGE STANDARDS
35-525 Outdoor Storage Standards

(a) Applicability

* * * *

(3) Class 3 Storage.

Class 3 Storage includes the following:

A. Storage of automobiles, noncommercial trucks, motorcycles, motor-homes, recreational vehicles, or boats for sale incidental to the use of a lot or parcel as a car dealer, a bus, truck, mobile homes, or large Vehicle dealer, or a mini-warehouse.

i. The area used for outside vehicle storage for display of auto, RV, boat, or trailer inventory shall be limited to 20 % of the total site area for “incidental” auto, RV, boat, or trailer sales. “Incidental” being defined as sales totaling for all such products to be less than 50% of the total income or gross revenues generated on the site.

ii. The area used for outside vehicle storage for display of auto, RV, boat, or trailer inventory for auto lots or dealerships which is the primary source of gross income or revenue shall not be limited in site area except for required buildings, setbacks, landscaping and buffering provisions of Chapter 35.

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- B. Storage incidental to monument retail sales, including the retail sale of monuments for placement on graves, and the sale, storage, and delivery of headstones, footstones, markers, statues, obelisks, cornerstones, and ledgers.

80a +++++
(Change)

Article V Development Standards

35-526 Parking and Loading Standards

(b) Table of eOff-Street Parking Requirements

* * * *

- (7) The Board of Adjustment may adjust the minimum or maximum parking requirements based on a showing by the applicant that a hardship is created by a strict interpretation of the parking regulations. Any adjustment authorized by the Board of Adjustment shall apply only to the use in the applicant's original Certificate of Occupancy.

* * * *

**TABLE 526-3b
Parking in Non-Residential Use Districts**

	Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
AUTO	AUTO & LIGHT TRUCK REPAIR	1 per 500 sf GFA including service bays, wash tunnels and retail areas <u>plus 2</u> <u>additional</u> <u>spaces for each</u> <u>inside service</u> <u>bay.</u>	1 per 375 sf GFA including service bays, wash tunnels and retail areas <u>plus 2</u> <u>additional</u> <u>spaces for each</u> <u>inside service</u> <u>bay.</u>
SERVICE	BANK, <u>CREDIT UNIONS</u> , SAVINGS and LOAN	1 per 4,000 <u>200</u> sf GFA <u>for the</u> <u>portion of</u> <u>building used</u> <u>by the financial</u> <u>institution and 1</u> <u>per 300 sf of</u> <u>GFA of office</u> <u>lease space.</u>	1 per <u>100</u> 200 sf GFA <u>for the</u> <u>portion of</u> <u>building used</u> <u>by the financial</u> <u>institution and 1</u> <u>per 140 sf of</u> <u>GFA of office</u> <u>lease space.</u>
<u>SERVICE</u>	<u>Office Call Center, Office Data Processing</u> <u>& Management, Record Storage Facility</u>	<u>1 parking</u> <u>space per 300</u> <u>sf of GFA of</u> <u>office space</u>	<u>1 parking space</u> <u>per 140 sf of</u> <u>GFA of office</u> <u>space plus 2</u>

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Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
	<u>plus 1 space for every 5,000 sf of GFA dedicated to storage or data equipment.</u>	<u>spaces for every 5,000 sf of GFA dedicated to storage or data equipment.</u>

81a +++++
(Change)

35-711 Recognition of Rights Derived from Common Law

(a) Applicability

The provisions of this section apply to any application for development approval in which the applicant claims an exemption from any provision of this code -based on common law rights. Applications for determination of rights shall be by single unit or phase; multiple parcels will require an application and determination for each unit or phase.

* * * *

85 +++++
(Change)

35-712 Recognition of Rights Derived From Texas Local Government Code Chapter 245

(d) Vested Rights Recognition Process Appeal

—In the event an applicant for recognition of statutory rights is aggrieved by an action taken regarding the recognition of those rights or the application of the above requirements, the applicant may appeal the decision of the director of the department development services to the planning commission by filing a request for appeal with the director of development services within fifteen (15) calendar days from the date the applicant is notified of the adverse decision or action taken under these requirements. The application for appeal shall be made in writing and shall contain the applicant's rationale for requesting the appeal together with payment of an application review fee in the amount established by ordinance as set forth in Appendix C. The director of development services shall place the appeal on the agenda of the planning commission and the planning commission shall hold a hearing on the appeal and make its ruling within forty-five (45) days from the date the request for appeal was filed. A rights appeal shall be based solely on the original approved application for the project not withstanding Section 35-404(e). If the planning commission denies all or part of the relief requested in the appeal, the applicant may make a final appeal to the city council by filing a notice of final appeal in writing together with payment of an application review fee in the amount established by ordinance as set forth in Appendix C to offset the city's costs with the office of the city clerk no later than the tenth (10) day following the party's receipt of the written decision of the planning commission from which the final appeal is brought. If the planning commission approves all or part of the relief requested in the appeal, the City Manager or her designee may make a final appeal to the city council by filing a notice of

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final appeal in writing with the city clerk no later than the tenth (10) day following the decision of the planning commission from which the final appeal is brought. The city clerk shall schedule the hearing of the final appeal at the earliest regularly scheduled meeting of the city council that will allow compliance with the requirements of the Texas Open Meetings Act. The decision of the city council shall be final.

88a ++++++
(Change)

35-801. Board of Adjustment.

* * * *

(b) Terms, Removal of Members

All members of the board shall be appointed for a term of two (2) years ending on May 31 of odd-numbered years and shall serve until their successors are appointed and qualified and shall be removable for cause by the city council upon written charges and after public hearing.

(c) Vacancies

Vacancies in the regular membership of the board of adjustment shall be filled by the city council member from whom the appointment originated for the unexpired term of vacancy. Vacancies of the alternate board of adjustment member(s) shall be appointed at large by the city council, and determined by majority vote, for the unexpired term of vacancy. The alternate members serve for the same period and are subject to removal the same as regular members.

(d) Minimum of Nine Members at Hearings

The alternate members of the board of adjustment shall serve in the absence of one (1) or more regular members when requested by the director of development services so that all cases heard by the board of adjustment will always be heard by a minimum of nine (9) members, in conformity with state law requiring that 75 percent of the members of the board hear each case.

(e) Minutes / Records

The board shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official action, all of which shall be immediately filed in the office of the board and shall be a public record open to inspection at reasonable times and upon reasonable notice in accordance with the Public Information Act, Chapter 552 of the Texas Government Code.

(f) Meetings and Rules

The board may have weekly meetings or at the call of the chairman or in his absence the acting chairman, and at such other times as the board may determine. All board meetings shall be open to the public in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

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The board may adopt rules consistent with this code or state law to govern its proceedings.

(g) Powers of Board

The board of adjustment shall have the following powers and duties which must be exercised in accordance with this chapter:

- To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter.
- To hear and decide special exceptions in those specific instances authorized by this chapter.
- To authorize upon appeal in specific cases, and subject to appropriate conditions and safeguards such variances from the terms of this chapter as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of the chapter shall be observed and substantial justice done. The variance must be necessary to permit development of a specific parcel of land which differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same zoning district. A variance may not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor may a variance be granted to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land in districts with the same zoning district.
- In exercising its authority, the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official. The concurrent vote of 75 percent of the members of the board is necessary to reverse an order, requirement, decision, or determination of an administrative official; decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or authorize a variation from the terms of a zoning ordinance. In exercising their powers, the board may, in conformity with the provisions of this division, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken. Provided, however, the concurring vote of nine (9) of the members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter or to effect any variation in this chapter.

For purposes of this section, "administrative official" means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue.

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90a ++++++

(Change)

Appendix A - Definitions

Assisted living facility - *(According to the U.S. Department of Health and Human Services) a residential setting that provides either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons. Assisted living serves a broad range of elderly (70 to 90+ years of age) becoming, in effect, a bridge between active retirement living and, for some, care in a nursing facility. (DSD notes that assisted living facilities may be ~~are~~ equipped with a full kitchen in each living unit and may or may not also offer communal dining.)*

Billiard/Pool Hall or Parlor – *An amusement facility in which the primary activity is the playing of table games such as billiards, pool, and snooker. Incidental uses within a billiard/pool hall may include domino and card playing as well as electronic video games. A billiard or pool hall, which receives 75 % or more of its income from alcohol, shall be classed as a bar and not a billiard/pool hall.*

Body Piercing - *The creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.*

Construction Trades Contractors – *Building trades contractors including but not limited to the areas of flatwork, fencing, foundations, plumbing, electrical, mechanical, carpentry, sheet rock, painting, roofing, masonry, landscaping, yard and lawn irrigation and other similar trades.*

Correctional Facilities - *The following is a listing of terms and correctional facility types as used by the Texas Department of Corrections and this code.*

- A. Transitional Treatment Center (TTC)** *is targeted for those releasees who have participated in the In-Prison Therapeutic Community (IPTC) or Substance Abuse Felony Punishment Facility (SAFP) programs. The TTC is the aftercare component of the treatment program for releasees from the IPTC and SAFP facilities, and lasts for three months. An additional twelve months of outpatient care follows. Specially trained parole officers supervise offenders.*
- B. Substance Abuse Treatment Facilities (SATFs)** *a residential community corrections facility designed specifically to deal with offenders on community supervision who have substance abuse problems. The court may place an offender in a SATF for no less than one-month and not more than 24 months.*
- C. Restitution Center.** *A community-based corrections facility, which provides 24-hour close supervision and a highly structured environment for non-violent felons. Offenders are confined to the center except to go to their place of employment, to perform community service work, or to attend education or rehabilitation programs.*
- D. Intermediate Sanction Facility (ISF).** *A fully secured facility used for short-term incarceration of offenders who violate the conditions of their community supervision, parole, or mandatory supervision. ISFs are operated by CSCDs for*

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community supervision offenders and by the Parole Division for parolees and mandatory supervision offenders.

- E. Day (or district) Reporting Center (DRC).** A highly structured, non-residential facility that supervises offenders on community supervision. Offenders report to the centers as part of the court-ordered conditions of their supervision.
- F. Court residential treatment centers (CRTC)s** treat offenders for substance abuse and alcohol dependency. They also offer education and life skills training; they also may offer vocational and employment services in the final phases of the program.
- G. Community Corrections Facility (CCF).** A residential treatment facility run by community supervision and corrections departments (CSCDs).
- H. Pre-Release Therapeutic Community (PRTC).** An intensive six-month treatment program for offenders in a therapeutic community setting which provides pre-release services to offenders within seven months of release. The PRTC is comprised of three components: educational/vocational, substance abuse treatment, and cognitive restructuring.

Applicable abbreviations used in A thru H. above.

PPT - Pre-Parole Transfer Facility

MUF - Multi-Use Facility

ISF - Intermediate Sanction Facility

SAFPF - Substance Abuse Felony Punishment Facility

-

Cosmetics - Intradermal (permanent makeup) - The practice of applying permanent makeup generally to the eyebrows, eyelids, and lips.

Heavy Equipment - Self-powered, self-propelled or towed mechanical devices, equipment and vehicles of the nature customarily for use in agriculture, mining, industry, business, transportation, building or construction such as tandem axle trucks, backhoes, trenchers, loaders, tractors, bulldozers, graders, cranes forklifts, or similar like equipment **but excluding automobiles, recreational vehicles and boats and their trailers.**

Motor Vehicle Sales (full service) - An establishment that provides sales of any motorized vehicles including autos, trucks, RV's, boats, motorcycles in addition to vehicle sales other vehicle related services to the general public such as vehicle repair, paint & body work, brake jobs, oil & lube service, vehicle detailing and washing.

Motor Vehicle Sales - An establishment that sells only motor vehicles including autos, trucks, RV's, boats, motorcycles and provides no onsite repair for the public or for its own stock of vehicles. Allows for onsite washing and detailing of vehicles.

Office General

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Office Call Center – An office specifically designed for any of the following - collection of data, provision of technical help, telephone solicitation, telephone buying and selling, account processing.

Office Data Processing & Management – An office specifically designed to provide data processing and management services for its parent company and/or client accounts.

Petro-Chemical Bulk Storage - A heavy industrial use some times referred to as “tank farms”, “bulk facility” or “fuel depots”. Petro-chemical bulk storage is a facility consisting of one or more tanks used for the storage or warehousing of petro-chemicals for distribution to off site receivers by pipeline, trucking or rail service. Petro-chemical bulk storage provides no onsite retail sales to the general public of any of its products.

Office - Professional – Facilities for the provision of services that normally require a license, registration or certification issued by the city or state such as but not limited to architects, engineers, landscape architects, physicians, dentist, ophthalmologist, accountants, appraisers, realtors.

Record Storage Facility – An establishment limited to the reception and storage electronic and/or paper records for it parent company and or contract clients.

Recreation - Camps, Campgrounds - Establishments that operate sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles; others provide overnight recreational camps, such as children’s camps, family vacation camps, hunting and fishing camps, and outdoor adventure retreats that offer trail riding, water activities, hiking, and similar activities. These establishments may provide facilities and services, such as cabins, washrooms, food services, recreational facilities and equipment, and organized recreational activities.

Skilled Nursing Facility - *(According to the U.S. Department of Health and Human Services)* A institution (or a distinct part of an institution) which is primarily engaged in providing skilled nursing care and related services for residents who require medical or nursing care, or rehabilitation services for the rehabilitation of injured, disabled, or sick persons, and is not primarily for the care and treatment of mental diseases. Nursing facilities offer the highest intensity level of long term care and are characterized primarily by the need for 24-hour nursing care. Few persons enter a nursing facility as a matter of choice. *(DSD notes that skilled nursing facilities do not contain full kitchens in the living units and that residents are served meals in their rooms or a communal dining facility).*

Storage (Shipping Container) - A unit designed for the storage and/or shipment of goods by means of boat, train or truck. Portable storage containers are self-contained units which do not have or ever had axels or wheels directly attached to them permanently or temporarily.

Storage (Moving Pods) - A self contained container used for the temporary storage and/or moving of small amounts of goods such as a household’s contents or office tenants contents. Moving pods are not allowed to be used as permanent onsite storage and shall only be placed on non-industrially zoned property for a maximum period of 60 days. Long term storage of moving pods with or without goods is permitted in all industrial zones “L”, “I-1”, “I-2”, “MI-1” and “MI-2” zoning districts. A permit may be obtained for a longer period of time but only if the moving pod is placed behind the front of the primarily building, or if no building the front setback line and is not visible from a public street.

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Tattoo - The practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. The term does not include the application of permanent cosmetics.

Trucks - Vehicles defined as trucks and buses by the National Highway Traffic Safety Administration in Title 49 of the Code of Federal Regulations, Chapter V, Section 571.3.

Truck Farm – A small tract of land (less than 10 acres) on which produce is raised and sold by the owner on-site or at off-site markets.

Animal hospital-Veterinary Hospital (small animal) A facility for the prevention, treatment, surgery, cure, or alleviation of disease and/or injury in small ~~or large~~ animals. Overnight and outside boarding of animals are permitted.

Veterinary Hospital (large and/or small animal) A facility for the prevention, treatment, ~~minor~~ surgery, cure, or alleviation of disease and/or injury of large animals, such as livestock, and may include outside runs, paddocks and pens.

91a +++++
(Change)

Table B101-1

A

(A) MATERIAL/INFORMATION

E. PROPERTY SURVEY AND TOPOGRAPHIC

(7)	All monuments erected, and corners established in the field. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend, except that lot corners need not be shown. <u>Guarantee by the owner or developer of placement of corner monuments for each lot may be by noting on the plat that such lot monumentation shall occur at completion of all onsite infrastructure construction.</u>

F. PLANNING

(10)	The location of all proposed uses or zoning <u>districts</u> classifications as applicable and the maximum allowable intensity (residential density or non-residential FAR)		*			

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H. DESIGN

***	.
(4)	Lots <u>and open space</u> numbered as approved by the City. <u>Open space shall be designated by a lot # preceded by the letter “O”.</u>

94a +++++
(Change)

35-B121 Subdivision Plat Applications

* * * *

(c) Contents

The plat applications shall include the following:

* * * *

- (20)** Plat notation. A plat which includes common areas or facilities to be maintained by a community association shall be annotated with the following note:

"A legal instrument establishing a plan for the use and permanent maintenance of the common areas/facilities designated on this plat is being recorded on the same date as this plat."

- (21)** If applicable, an original variance request, the variance fee and a written response from the director as required by section 35-483.

96 +++++
(Change)

APPENDIX B: APPLICATION SUBMITTAL

35-B122 Traffic Impact Analysis

(a) Level 2 and 3 TIA Format

(2) Trip Generation and Design Hour Volumes (provide table).

- A. A trip generation summary table listing each type of land use, the building size assumed, the average trip generation rates used (total daily traffic and a.m./p.m. peaks), and the resultant total trips generated shall be provided. The number of trips generated shall be based on the

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average rate for land uses as provided in the Institute of Transportation Engineer’s “Trip Generation”, latest edition.

(6) Capacity Analysis (the applicant shall provide analysis sheets in appendices).

- A. A capacity analysis shall be conducted for all roadway segments within the TIA study area and for all public street intersections and junctions of major driveways with public streets which are significantly impacted (within the Study Area Boundary as defined in this code (as agreed to by the developer’s engineer and the City Traffic Engineer). A capacity analysis is required as shown below:

97 ++++++
(Change)

35-B122 Traffic Impact Analysis

(b) Level 1 TIA Format

(2) Peak Hour Trip Generation

C. The estimates of distribution of trips by turning movements from each site exit and to each site entrance.

102a ++++++
(Change)

35-C108a Vested Rights Determination

For a homestead (1 lot or less than 3 acres) a fee of one hundred sixty dollars (\$160.00) and for residential over 1 lot or 3 acres or more a fee of five hundred dollars (\$500) shall be paid for the processing of any vested rights determination pursuant to § 35-711 of this Chapter.

35-C108b Vested Rights Appeal

A fee of \$500.00 shall accompany filing of an application for an appeal of a vested rights determination to the Planning Commission. Subsequent to the Planning Commission taking action on a vested rights application the applicant may appeal the determination of the Planning Commission to the City Council by filing an application for an appeal of the Planning Commission’s determination of vested rights accompanied by a fee of \$500.00.

106a ++++++
(Change)

Appendix E: San Antonio Recommended Plant List-All Suited to Xeriscape Planting Methods

TREES

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Small: Fifteen (15) to twenty-five (25) Feet; Medium: Twenty (25) to Forty (40) Feet; Large: Forty (40) Feet and Higher (60'+)				
Common Name	Scientific Name	Height	Remarks	Shade Area
Anacacho, Orchid tree	Bauhania congesta	S-M	Semi-Evergreen, tree-shrub, white flower clusters	275
Anaqua*, Sandpaper tree	Ehretia anacua	M-L	Evergreen broadleaf; white flower clusters	875
Arizona Cypress	Cupressus arizonica	M-L	Evergreen conifer; gray green foliage; pyramidal shape	875
Texas Ash*, Green Ash	Fraxinus sp.	M-L	Deciduous; fast growing	875
Ashe Juniper*	Juniperus ashei	S-M	Evergreen conifer; green foliage, females fruit	275
Bald Cypress*	Taxodium distichum	L	Deciduous conifer; fine textured foliage; fall color	1200
Black Willow*	Salix nigra	M-L	Deciduous; riparian species	875
Bur Oak*	Quercus macrocarpa	L	Deciduous; large acorns and leaves, good shade tree	1200
Carolina Buckthorn*	Rhamnus caroliniana	S-M	Semi-Evergreen; sun-shade, glossy leaves, reddish fruit	275
Cedar Elm*	Ulmus crassifolia	M-L	Deciduous; narrow canopy, good shade tree for R.O.Ws	875
Chinquapin Oak*	Quercus muhlenbergii	M-L	Deciduous; round-topped tree; bold foliage	875
Condalia, Brazil Tree, Bluewood Condalia*	Condalia hookeri, C. viridis	S-M	Evergreen; delicate foliage; very drought tolerant; sun-shade, good shade tree	275
Cottonwood*	Populus deltoides	L+	Deciduous; large leaves, females fluffy seeds	1200
Crabapple, Texas*	Mollis texana	S-M	Deciduous, full to partial sun, spring flowering tree	275
Desert Willow*	Chilopsis linearis	S	Deciduous; pink tubular flowers; willow-like foliage, very drought tolerant	n/a
Deodar Cedar	Cedrus deodara	L	Evergreen; spreading pyramidal shape	1200
Ebony, Texas*	Pithecellobium flexicaule	S	Evergreen; sun; white flowers	n/a
Escarpment Black Cherry*	Prunus serotina var. eximia	M-L	Deciduous; sun to shade; fall foliage	875
Eve's Necklace*	Sophora affinis	M-L	Deciduous; sun-shade; white to pink flowers	875
Goldenball Lead Tree*	Leucaena retusa	S-M	Deciduous; delicate foliage; fragrant yellow flowers	275
Hackberry*	Celtis spp.	M-L	Deciduous; prolific; wildlife favorite	875
Honey Locust	Gleditsia triacanthos	M	Deciduous; thornless varieties available	550
Huisache*	Acacia farnesiana	M	Deciduous; delicate foliage; fragrant yellow flowers	550
Kidneywood*	Eysenhardtia polystachya	S	Deciduous; delicate tree-shrub; fragrant white flowers	n/a

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Lacy Oak*	Quercus laceyi	M	Deciduous; sun-partial shade; hill county native, good shade tree	550
Live Oak*	Quercus virginiana	M-L	Evergreen-like; good shade tree	875
Mesquite*	Prosopis glandulosa	S-M	Deciduous; lacy spreading form	275
<u>Monterrey Oak</u>	<u>Quercus polymorpha</u>	<u>S-M</u>	<u>Evergreen-like; good shade tree</u>	<u>875</u>
Mexican Buckeye*	Ungnadia speciosa	S	Deciduous; pink-red spring flowers	n/a
Pecan*	Carya illinoensis	L+	Deciduous; needs lots of space; sensitive to root impact	1200
Persimmon, Texas*	Diospyros texana	S-M	Deciduous; sun-shade, smooth bark; females has black pulpy fruit	275
Plum, Mexican*	Prunus mexicana	S	Deciduous; sun to shade; white flowers, fruit	n/a
Possum Haw*	Ilex decidua	S-M	Deciduous; sun-shade; female has red fruit	275
Retama, Paloverde*	Parkinsonia texana	S-M	Deciduous; fast growing, yellow flowers	275
Red Oak, Shumard*	Shumard Quercus shumardii	L	Deciduous; fall color, good shade tree	1200
Red Oak, Texas*	Quercus texana	M	Deciduous; fall color, good shade tree	550
Redbud, Texas, Oklahoma, Mexican*	Cercis canadensis var texana	S-M	Deciduous; sun-shade, red/pink or white flowers	275
Rusty Blackhaw *	Viburnum rufidulum	S	Deciduous; fall color, white flower clusters	n/a
Silk-tassel*	Garrya ovata	S	Evergreen; sun-shade	n/a
Spiny Hackberry*	Celtis pallida	S	Evergreen; greenish white flowers, yellow orange fruit	n/a
Sycamore, Mexican	Platanus mexicana	L+	Deciduous; large leaves, good shade tree	1200
Sycamore, Texas*	Platanus glabrata	L+	Deciduous; large leaves, good shade tree	1200
Texas Mountain Laurel*	Sophora secundiflora	S	Evergreen, part shade to full sun; fragrant purple flowers	n/a
Texas Pistache*	Pistacia texana	S	Semi-Evergreen; full sun to part-shade; red fruit	n/a
Wafer Ash, Hop tree*	Ptelea trifoliata	S	Semi-Evergreen; sun-shade; light green foliage	n/a
Western Soapberry*	Sapindus drummondii	M-L	Deciduous; full to partial sun; good shade tree, cluster large yellow flowers	875
Wild Olive *	Cordia boissiereri	S-M	Semi-Evergreen; large white flowers, hardy to ~14°F	275
Vitex, Chaste Tree, False Hemp Tree, Lavender Tree*	Vitex agnus-castus	S-M	Deciduous; purple, pink, or white flower spikes	275
Yaupon Holly*	Ilex vomitoria	S-M	Evergreen; sun-shade; female has red fruit	275

* = Texas Native

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(Change)

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~~Annual~~ Updates for Amendments

The purpose of this section is to provide ~~for updates~~for updates to this chapter in order to modify procedures and standards for workability and administrative efficiency, eliminate unnecessary development costs, and to update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design. Beginning 2006 the UDC Update program will be conducted every second year on even dated years.

With the exception of amendments initiated by Zoning Commission, Planning Commission, Board of Adjustments, HDRC, City Council, or other appropriate city board or council, amendments submitted during the update program shall be limited to the following:

1. Editing amendments to provide for editing changes that do not alter the impact of the provision being addressed and including such changes as such as spelling, grammar correction, formatting, text selection addition of text in compliance with existing ordinances, statues or case law.
2. Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC. Clarification amendments should not change or alter the intent or meaning of existing UDC provisions.
3. Rule Interpretation Determinations (RIDs) are written policies and administrative interpretations made by the director of development services for subjects which are not fully provided for in the UDC. RIDs are based on case or project experience and may or may not result in the creation of a UDC amendment.

- (a) No later than May 1st of each year, any person may provide a request for amendment to this chapter to the director of development services. The request for amendment shall be labeled an “~~annual~~ update request” and shall include a summary of the proposed changes, the reason for the proposed changes, and suggested text amendments.
- (b) Director shall not receive request for amendments after July 1st. The director shall refer the proposed amendments to various city departments, planning commission technical advisory committee (PC TAC), the planning commission, the zoning commission and the city council. The director may conduct workshops to informally discuss the ~~annual~~ update requests with neighborhoods, developers, homebuilders, design professionals, and other stakeholders in the development process.
- (c) The director of development services shall refer the ~~annual~~ update requests to the planning commission and/or zoning commission by October 30. The planning commission and/or zoning commission shall refer the ~~Annual~~ Update Request to the city council by December 1. Any amendments that are finally approved shall become effective January 1 of the following year.

September 8, 2006

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